



CAU ~~2765~~
2161

P/2167-61

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:

Deborah EVERLING, et al.

Serial No.: 09/204,390

Filed: December 2, 1998

Date: May 24, 2001

Group Art Unit: 2765

Examiner: P. Wu

RECEIVED

JUN 1 2001

Technology Center 2100

For: **MERCHANT TRANSACTION DATA MINING METHOD**

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

COMMUNICATION

Sir:

This is to confirm the telephone interview of April 19, 2001 conducted with the undersigned representative of the Applicants. In the interview you had agreed to withdraw the Final Office Action and issue a new non-Final Office Action with the respect to the present application. Accordingly, Applicants shall not respond to the outstanding Final Office Action and await the issuance of the new Final Office Action.


Further, during the interview the undersigned explained Applicants' position that Konya and Lawlor describe ATM systems in which the provider of the ATM system does not attempt to match issuer accounts with non-issuer accounts, as specifically required by all of the independent claims in the present application. You indicated that you will take these remarks into consideration when developing the next non-Final Office Action.

Again, Applicants await your issuance of a new non-Final Office Action.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on May 24, 2001

Michael J. Scheer

Name of Applicant, assignee or
Registered Representative


Signature

May 24, 2001

Date of Signature

Respectfully submitted,



Michael J. Scheer

Registration No.: 34,425

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

MJS:mtb
Enclosure